

**THE MINUTES OF THE HOUSE STANDING COMMITTEE
ON
JUDICIARY**

Wednesday, February 15, 2006

10:30 a.m.

Room 308 House Office Building

The House Standing Committee on Judiciary was called to order by **Representative William Van Regenmorter**, Chair.

MEMBERS PRESENT: Representatives Van Regenmorter, Schuitmaker, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini, Bieda and Virgil Smith.

MEMBERS ABSENT/EXCUSED: Representatives Newell and McConico.

Representative Rocca moved to adopt the minutes of the **February 8, 2006** meeting. The motion was supported by **Representative Stakoe**. There being no objection, the motion prevailed by unanimous consent.

Chairman Van Regenmorter announced the formation of the Subcommittee on Michigan's Sex Offender Registry Act. Representatives Mike Nofs (C), Tonya Schuitmaker, David Law, Steve Bieda and Paul Condino.

Chairman Van Regenmorter laid **SB 263** before the committee:

SB 263 Hammerstrom Crime victims; statements; hearsay rule; exempt certain statements of domestic violence victims.

TESTIMONY

Stacey Murray, from Senator Hammerstrom's office, testified in support of the bill.

Kiernan Marion, from Senator Johnson's office, testified in support of the bill.

Richard Friedman, Professor of Law, University of Michigan, testified in opposition to the bill.

John Hallacy, representing the Calhoun County Prosecutor's Office, testified in support of the bill.

Carol Hackett Garagiola, representing the Michigan Domestic Violence Prevention and Treatment Board, testified in support of the bill.

Chairman Van Regenmorter laid **SB 120** before the committee:

SB 120 Johnson Criminal procedure; evidence; prior acts of domestic violence; allow to be admissible as evidence.

TESTIMONY

Kiernan Marion, from Senator Johnson's office, testified in support of the bill.

John Hallacy, representing the Calhoun County Prosecutor's Office, testified in support of the bill.

Chairman Van Regenmorter laid **HB 5451** before the committee:

HB 5451 Proos Crimes; other; unlawful imprisonment; prohibit and prescribe penalties.

Representative Proos, sponsor of HB 5451, explained his bill to the committee.

Daniel Sullivan, representing the Lincoln Township Police, testified in support of the bill.

Michael Sepic, representing the Berrien County Prosecuting Office, testified in support of the bill.i

Stephanie Wuttke, representing the Michigan Coalition Against Domestic and Sexual Violence, supported SB 120 and SB 263.

Chairman Van Regenmorter laid **HB 5450** and **HB 5449** before the committee:

HB 5450 Van Regenmorter Crimes; kidnapping; crime of kidnapping; clarify elements.

HB 5449 Moore Criminal procedure; sentencing guidelines; sentencing guidelines for crime of unlawful imprisonment; enact.

Sgt. Matt Bolger, representing the Michigan State Police, submitted a card indicating support for HB 5450 and HB 5451 and did not wish to speak.

David Newman, representing the Michigan Department of Corrections, submitted a card indicating neutrality on HB 5449 and did not wish to speak.

The committee returned to the consideration of **SB 120**.

Representative David Law moved to report **SB 120** with recommendation. The motion was supported by **Representative Condino**.

The motion prevailed by a vote of **13-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini, Bieda and Virgil Smith,

Nays: None,

Pass: None.

The committee returned to the consideration of **HB 5451**.

Representative Bieda moved to report **HB 5451** with recommendation. The motion was supported by **Representative Elsenheimer**.

The motion prevailed by a vote of **13-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini, Bieda and Virgil Smith,

Nays: None,

Pass: None.

The committee returned to the consideration of **HB 5450**.

Representative Jones moved to adopt the substitute **(H-1)** to **HB 5450**. The motion was supported by **Representative David Law**.

The motion prevailed by a vote of **13-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini, Bieda and Virgil Smith,

Nays: None,

Pass: None.

Representative Rocca moved to report **HB 5450** with recommendation, as substitute **(H-1)**. The motion was supported by **Representative Jones**.

The motion prevailed by a vote of **13-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini, Bieda and Virgil Smith,

Nays: None,

Pass: None.

The committee returned to the consideration of **HB 5449**.

Representative Stakoe moved to adopt the substitute **(H-1)** to **HB 5449**. The motion was supported by **Representative Jones**.

The motion prevailed by a vote of **13-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini, Bieda and Virgil Smith,

Nays: None,

Pass: None.

Representative Van Regenmorter offered the following amendment to **HB 5449**:

1. Amend page 2, following line 13, by inserting:
"Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted."
and renumbering the remaining enacting section.

Representative Stakoe moved to adopt the amendment. The motion was supported by
Representative Elsenheimer.

The motion prevailed by a vote of **13-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Nofs, Stakoe, Elsenheimer, Jones,
David Law, Rocca, Lipsey, Condino, Adamini, Bieda and Virgil Smith,
Nays: None,
Pass: None.

Representative Bieda moved to report **HB 5449** with recommendation, as substitute (**H-2**). The
motion was supported by **Representative Condino**.

The motion prevailed by a vote of **13-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Nofs, Stakoe, Elsenheimer, Jones,
David Law, Rocca, Lipsey, Condino, Adamini, Bieda and Virgil Smith,
Nays: None,
Pass: None.

Representative Bieda moved to excuse **Representatives Newell** and **McConico** from committee.
The motion was supported by **Representative Nofs**. There being no objection, the motion prevailed
by unanimous consent.

There being no further business to come before the committee, the Chair adjourned the meeting at
12:04 p.m.

Representative William Van Regenmorter, Chair
House Standing Committee on Judiciary
Malika Abdur-Rashid
Committee Clerk
517-373-7256
1 Hour 34 Minutes